

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Patent Application of:
Tetsuro ASANO et al.

Application No.: 10/505,438

Filing Date: August 24, 2004

For: PROTECTING ELEMENT

Examiner: A. D. Mai

Group Art Unit: 2814

Confirmation No.: 2447

**INFORMATION DISCLOSURE
STATEMENT UNDER 37 C.F.R. § 1.97 & § 1.98**

MS Appeal
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

Pursuant to 37 C.F.R. § 1.97 and § 1.98, Applicants submit for consideration in the above-identified application the documents listed on the attached Form PTO/SB/08a/b. Copies of the documents are also submitted herewith. The Examiner is requested to make these documents of record.

The documents listed on the attached Form PTO/SB/08a/b were cited in a European Search Report dated on July 6, 2009, directed to a counterpart foreign application and have not been previously cited. Applicants note to the examiner that U.S. Patent No. 5,047,355 also cited in the Search Report was previously cited by the Examiner; and therefore is not submitted herewith. A certification under 37 C.F.R. § 1.97(e)(1) follows:

I hereby certify that each item of information was first cited in any communication from a foreign patent office in a counterpart foreign application not more than three months prior to the filing of this Information Disclosure Statement.

This Information Disclosure Statement is submitted after mailing of a final Office Action or Notice of Allowance, but before payment of the Issue Fee. A Certification under 37 C.F.R. § 1.97(e) is provided above and the appropriate fee is submitted herewith.


Applicants would appreciate the Examiner initialing and returning the Form PTO/SB/08a/b, indicating that the information has been considered and made of record herein.

The information contained in this Information Disclosure Statement under 37 C.F.R. § 1.97 and § 1.98 is not to be construed as a representation that: (i) a complete search has been made; (ii) additional information material to the examination of this application does not exist; (iii) the information, protocols, results and the like reported by third parties are accurate or enabling; or (iv) the above information constitutes prior art to the subject invention.

In the unlikely event that the transmittal form is separated from this document and the Patent and Trademark Office determines that an extension and/or other relief (such as payment of a fee under 37 C.F.R. § 1.17 (p)) is required, Applicants petition for any required relief including extensions of time and authorize the Commissioner to charge the cost of such petition and/or other fees due in connection with the filing of this document to **Deposit Account No. 03-1952** referencing **492322017400**.

Dated: August 18, 2009

Respectfully submitted,

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